



General Assembly

January Session, 2011

Amendment

LCO No. 8627

SB0041508627HR0

Offered by:

REP. PERILLO, 113th Dist.
REP. GREENE, 105th Dist.
REP. DAVIS C., 57th Dist.
REP. HWANG, 134th Dist.
REP. GUERRERA, 29th Dist.
REP. ZALASKI, 81st Dist.
REP. DARGAN, 115th Dist.
SEN. WELCH, 31st Dist.

REP. SAMPSON, 80th Dist.
REP. ALBERTS, 50th Dist.
REP. KUPCHICK, 132nd Dist.
REP. RIGBY, 63rd Dist.
REP. LABRIOLA, 131st Dist.
REP. FREY, 111th Dist.
REP. BACCHIOCHI, 52nd Dist.
REP. D'AMELIO, 71st Dist.

To: Subst. Senate Bill No. **415**

File No. 559

Cal. No. 629

(As Amended by Senate Amendment Schedule "A")

"AN ACT CONCERNING STATE OVERSIGHT OVER HOOKAH LOUNGES."

1 Strike subdivision (2) of subsection (b) of section 1 and insert the
2 following in lieu thereof:

3 "(2) This section shall not apply to (A) correctional facilities; (B)
4 designated smoking areas in psychiatric facilities; (C) public housing
5 projects, as defined in subsection (b) of section 21a-278a; (D)
6 classrooms where demonstration smoking is taking place as part of a
7 medical or scientific experiment or lesson; (E) smoking rooms
8 provided by employers for employees, pursuant to section 31-40q, as

9 amended by this act; (F) notwithstanding the provisions of
10 subparagraph (E) of subdivision (1) of this subsection, the outdoor
11 portion of the premises of any permittee listed in subparagraph (E) of
12 subdivision (1) of this subsection, provided, in the case of any seating
13 area maintained for the service of food, at least seventy-five per cent of
14 the outdoor seating capacity is an area in which smoking is prohibited
15 and which is clearly designated with written signage as a nonsmoking
16 area, except that any temporary seating area established for special
17 events and not used on a regular basis shall not be subject to the
18 smoking prohibition or signage requirements of this subparagraph;
19 [or] (G) any tobacco bar; [, provided no tobacco bar shall expand in
20 size or change its location from its size or location as of December 31,
21 2002] or (H) any hookah lounge operating before December 31, 2010,
22 provided such hookah lounge (i) may not expand in size or change its
23 location from its size or location as of December 31, 2010, and (ii) shall
24 comply with regulations established by the Commissioner of Public
25 Health pursuant to subdivision (3) of this subsection. For purposes of
26 this subdivision, "outdoor" means an area which has no roof or other
27 ceiling enclosure, "tobacco bar" means an establishment with a permit
28 for the sale of alcoholic liquor to consumers issued pursuant to chapter
29 545 that [, in the calendar year ending December 31, 2002, generated]
30 generates ten per cent or more of its total annual gross income from the
31 on-site sale of tobacco products and the rental of on-site humidors,
32 [and] "tobacco product" means any substance that contains tobacco,
33 including, but not limited to, cigarettes, cigars, pipe tobacco or
34 chewing tobacco, and "operating" means leasing, renting or owning
35 space, in a suitable and permanent building, that is open pursuant to a
36 valid certificate of occupancy, used, maintained, advertised and held
37 out to the public as a place where hookahs or water pipes are regularly
38 made available for use by the public."